

ORDINANCE NO.: 2019-07 AMENDED APRIL 16, 2019,
AMENDED MAY 14, 2019
SPONSOR: ~~COUNCILMEN DYER, SPEIGHT AND SHAUGHNESSY~~
CITY COUNCIL
INTRODUCED: MARCH 26, 2019 ASSIGNED TO: _____

AN ORDINANCE ESTABLISHING THE CITY OF GREEN PIPELINE SETTLEMENT FUND ADVISORY COMMITTEE TO INFORM CITY COUNCIL ABOUT WAYS TO MOST EFFECTIVELY AND EFFICIENTLY SPEND PIPELINE SETTLEMENT FUNDS REMAINING IN THE PIPELINE SETTLEMENT FUND, AND DECLARING AN EMERGENCY.

WHEREAS, The Federal Energy Regulatory Commission approved the high-pressure NEXUS oil and gas pipeline to run through the City of Green; and

~~WHEREAS, THE CONSTRUCTION OF THE PIPELINE WILL LEAD TO SIGNIFICANT ENVIRONMENTAL AND ECONOMIC IMPACTS UPON THE CITY AND ITS RESIDENTS; AND~~

WHEREAS, the City of Green received \$7.5 million from NEXUS in exchange for coming through ~~the~~ **PROPERTY OWNED BY THE** City of Green and was placed in a **SPECIAL** Pipeline Settlement Fund, 2018-03; and

WHEREAS, As of March 26, 2019, approximately ~~\$4.2~~ **\$1.2** million remain in unencumbered fund balance of the Pipeline Settlement Fund; and

WHEREAS, it is the desire of Green City Council to provide opportunities for residents to express their ideas and recommendations about what the most effective and efficient way to spend the remaining ~~\$4.2~~ **\$1.2** million to ensure the greatest measure of public safety ~~within the limitations established by Green Pipeline Settlement Ordinance 2018-03.~~ **SURROUNDING THE PIPELINE AND BENEFIT.**

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council hereby creates the City of Green Pipeline Settlement Fund Advisory Committee, which will be seated within ~~30~~ **60 (SIXTY)** days of the effective date of this Ordinance and will then meet at least ~~one time per month~~ **3 (THREE) TIMES** thereafter. ~~Within~~ **NO MORE THAN** 180 days of **AFTER** their first meeting, the Committee shall produce a report to City Council regarding its recommendations for the legally permissible expenditure of any remaining funds in the city's Pipeline Settlement Fund, **INCLUDING NOT SPENDING ANY OR ALL OF THE REMAINING BALANCE. THE RECOMMENDATIONS SHALL NOT INCLUDE ANY COMPENSATION TO INDIVIDUALS OR CORPORATE ENTITIES FOR PIPELINE MITIGATION OR COMPENSATION.**

SECTION TWO:

The Committee shall be considered a public body under Ohio law. As such, all meetings of the Committee shall be open to the public with official minutes taken and recorded. All records, including, but not limited to testimony or other documents or communications produced by the committee and its members shall be subject to the Ohio Open Meetings Act and the Ohio Public Records Law.

SECTION THREE:

After the Committee delivers its report to City Council, the Committee shall be disbanded.

SECTION FOUR:

The Committee shall contain ~~eleven (11)~~ **SEVEN (7)** members of the public and shall not receive compensation. The Mayor shall appoint ~~six (6)~~ **THREE (3)** members and City Council shall appoint ~~five (5)~~ **FOUR (4)**. ~~At least six (6) members of the eleven (11) member Committee must be Green residents living within 1,500 feet of the NEXUS pipeline.~~

No members of the Committee shall be candidates for public office during the time which the Committee meets. ~~nor can they concurrently serve on other city boards, committees or commissions, except as provided in this legislation.~~ **COMMITTEE MEMBERS' APPOINTMENT SHALL COMPORT WITH ALL PROVISIONS OF THE CITY CHARTER, ORDINANCES, RESOLUTIONS AND POLICIES GOVERNING APPOINTMENTS TO CITY BOARDS AND COMMISSIONS.**

~~At least one (1) of the members must be a Green resident and have demonstrable expertise in property valuation.~~

~~At least one (1) of the members must have demonstrable expertise in public safety, with Green residents preferred over non residents.~~

~~At least one (1) of the members shall also serve on the City's Parks and Recreation Board.~~

THE CITY'S FIRE CHIEF, OR THEIR DESIGNEE, SHALL BE ON THE COMMITTEE, BUT NOT BE A VOTING MEMBER

THE CITY ENGINEER, OR THEIR DESIGNEE, SHALL BE ON THE COMMITTEE, BUT NOT BE A VOTING MEMBER

THE CITY'S PLANNING DIRECTOR, OR THEIR DESIGNEE, SHALL BE ON THE COMMITTEE, BUT NOT BE A VOTING MEMBER

THE CITY'S SERVICE DIRECTOR, OR THEIR DESIGNEE, SHALL BE ON THE COMMITTEE, BUT NOT BE A VOTING MEMBER

When the Committee is seated, it shall choose by three-fourths ($\frac{3}{4}$) vote a Chair and Vice Chair, who shall chair meetings when the Chair is unavailable. The city shall provide staff to take minutes and provide additional support for the Committee's duties as necessary.

SECTION FIVE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and so that municipal projects may move forward immediately. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk of Council

Bob Young, Council President

APPROVED: _____, 2019

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2019

ON ROLL CALL:	Babbitt	Dyer	Humphrey	Shaughnessy
	Speight	Yeargin	Young	

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk of Council

05/09/2019 ~~04/18/2019~~ Approved as to form and content by William Chris, Interim Law Director _____